

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

EDDIE HOOVER, M.D.,

Plaintiff,

v.

AMENDED ORDER
11-CV-0734A

ERIC K. SHINSEKI, as Secretary of Veteran
Affairs,
WILLIAM F. FEELEY, Director of Medical Center
Veteran Affairs Western New York Healthcare
Systems, and
MIGUEL RAINSTEIN, M.D. Chief of Staff
Veteran Affairs Western New York Healthcare
Systems,

Defendants.

The above-referenced case was referred to Magistrate Judge Leslie G. Foschio, pursuant to 28 U.S.C. § 636(b)(1)(B). On September 27, 2012, Magistrate Judge Foschio filed a Report and Recommendation, recommending that defendants' motion to dismiss be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Foschio's Report and Recommendation, defendants' motion to dismiss is granted.

The case is referred back to Magistrate Judge Foschio for further proceedings.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: October 17, 2012